

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

LUKASIAN HOUSE, LLC,

Plaintiff,

vs.

AMPLE INTERNATIONAL, INC.,  
CHEN CHEN a/k/a JANE CHEN,  
APRILLE VERGARA,

Defendants.

Case No. 2:11-cv-06449-JFW-FMO

Hon. John F. Walter

**ORDER OF DISMISSAL**

**Complaint Filed:** 08/05/2011  
**Discovery Cutoff Date:** 04/01/2012  
**Pretrial Conf.:** 06/08/2012  
**Trial Date:** 06/26/2012

**ORDER**

Pursuant to the Stipulation of the parties, and good cause appearing, **IT IS ORDERED** that:

1. The first two claims of the First Amended Complaint (“FAC”), for alleged copyright infringement, are dismissed with prejudice, on the terms set forth in the parties’ Stipulation for Dismissal filed May 14, 2012.

2. The Court having previously granted partial summary judgment on the third claim of the First Amended Complaint, for alleged violation of the Computer Fraud and Abuse Act, that claim is dismissed with prejudice.

1           3.     The fourth through ninth claims of the FAC, for an alleged violation  
2 of the California Comprehensive Computer Data Access and Fraud Act, alleged  
3 misappropriation of trade secrets, alleged unfair competition, alleged intentional  
4 interference with prospective economic advantage, alleged conversion, and  
5 alleged breach of loyalty are dismissed without prejudice to Plaintiff re-filing  
6 those claims in state court.

7           5.     All discovery taken in this action may be used in a subsequent State  
8 Court action re-alleging the fourth through ninth claims currently set forth in the  
9 FAC. The protective order in this matter shall continue to govern all confidential  
10 material and information until it is replaced by a protective order in the related  
11 State Court action. No duplicative discovery shall be undertaken, and no party or  
12 other witness whose deposition has been taken in this action may be re-deposed in  
13 a subsequent State Court action. Upon reasonable notice, Defendants may take  
14 the depositions in any future State Court proceeding of Plaintiff's previously-  
15 disclosed witnesses Chadwick Johnson, Robert Spetner, and Robert Gralnick.

16           6.     With respect only to the claims that are dismissed with prejudice,  
17 each party shall bear its or her own costs, attorneys' fees, and expenses incurred  
18 in this action.

19  
20 DATED: May 14, 2012

  
\_\_\_\_\_  
JOHN F. WALTER  
United States District Judge

21  
22  
23 SCL PAS1174633.1-\*-05/14/12 2:36 PM  
24  
25  
26  
27  
28